

PATENT
81788.0216

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Junichi Kinoshita

Serial No: 10/076,698

Confirmation No.: 1843

Filed: February 13, 2002

For: SURFACE EMITTING LASER
AND SEMICONDUCTOR LIGHT
EMITTING DEVICE

Art Unit: 2828

Examiner: Delma R. Flores Ruiz

**TRANSMITTAL OF
INFORMATION DISCLOSURE STATEMENT**

MAIL STOP RCE

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sirs:

1. ☒ The information disclosure statement submitted herewith is being filed within three months of the filing date of the application other than a continued prosecution application, or within three months of the date of entry into the national stage of an international application, or before the mailing date of a first Office Action on the merits, or before the mailing of a first Office action after the filing of a request for continued examination under §1.114, whichever event occurs last. 37 C.F.R. §1.97(b).
2. ☐ The information disclosure statement transmitted herewith is being filed *after* the period specified in §1.97(b), but *before* the mailing date of a final action under §1.113, or a notice of allowance under §1.311, or an action that otherwise closes prosecution in the application, whichever occurs first. A statement specified in §1.97(e) or a fee set forth in §1.17(p) is included. 37 C.F.R. §1.97(c).

§1.97(e) STATEMENT

I, the person signing below, state:

- ☐ that each item of information contained in the information disclosure statement was first cited in the attached communication from a foreign patent office in a counterpart foreign application and that the communication is dated not more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(1).

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first classmail in an envelope addressed to: MAIL STOP RCE, Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 December 30, 2004 Date of Deposit William F. Wright, Reg. No. 36,312 Name Signature Date	
2/30/04	

OR

- ☐ that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(2).

OR FEE

- ☐ Attached is a fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under §1.97(c). (\$180.00). [OR:] Please charge the fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under §1.97(c) (\$180.00) to Deposit Account No. 50-1314. A copy of this petition is enclosed.

3. ☐ The information disclosure statement transmitted herewith is being filed *after* the period specified in §1.97(c), but before, or simultaneously with the payment of the issue fee. A statement specified in §1.97(e) and a fee set forth in §1.17(p) are included. 37 C.F.R. §1.97(d).

§1.97(e) STATEMENT

I, the person signing below, state:

- ☐ that each item of information contained in the information disclosure statement was first cited in the attached communication from a foreign patent office in a counterpart foreign application and that the communication is dated not more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(1).

OR

- ☐ that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(2).

AND FEE

- ☐ Attached is a fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under §1.97(d). (\$180.00).

4. ☒ If it should be determined that for any reason either an insufficient fee or an excessive has been paid, please charge any insufficiency or credit any overpayment necessary to ensure consideration of the information disclosure statement for the above-identified application to Deposit Account No. 501314. **A copy of this petition is enclosed.**
5. ☒ A list of 11 reference(s) is in the enclosed Form PTO-1449.

NON-ENGLISH LANGUAGE REFERENCES

- ☐ Enclosed is a search report for a counterpart application. The search report Examiner has provided comments on the relevancy of any non-English language references cited in the search report.
- ☐ The specification incorporates comments on the relevancy of Non-English language references.
- ☐ Set forth below are comments provided by the applicant's home country counsel on the relevancy of non-English language references:

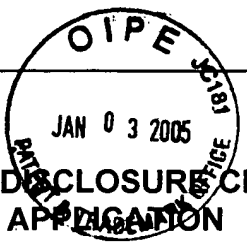
Respectfully submitted,
HOGAN & HARTSON L.L.P.

By: 

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Registration No. 36,312
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Date: December 30, 2004

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FORM PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION (Use several sheets if necessary)	Docket Number (Optional) 81788.0216	Application Number 10/076,698
	Applicant Junichi Kinoshita	
	Filing Date February 13, 2002	Group Art Unit 2828

U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

FOREIGN PATENT DOCUMENTS							
	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						YES	NO
	02-296322	12-06-1990	Japan			Abstract Only	
	05-021890	01-29-1993	Japan			Abstract Only	
	05-063303	03-12-1993	Japan			Abstract Only	
	06-005984	01-14-1994	Japan			Abstract Only	
	06-338661	12-06-1994	Japan			Abstract Only	
	06-224515	08-12-1994	Japan			Abstract Only	
	09-083084	03-28-1997	Japan			Abstract Only	
	09-237942	09-09-1997	Japan			Abstract Only	
	09-312447	12-02-1997	Japan			Abstract Only	
	10-145003	05-29-1998	Japan			Abstract Only	
	58-051583	03-26-1983	Japan			Abstract Only	

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)	

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.	